

SENECA MEDIA, INC.

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This is the 17th in a weekly series, "Two Hundred Years Ago This Week," made available as a public service by the New York State Bicentennial Commission.

How to Ratify the New Constitution

The debate over the procedures to ratify the new Constitution was extremely important. No matter how beneficial the new plan of government might appear, it would not take effect until legitimized by some process of ratification. For over a decade, Americans had struggled with the problem of how best to establish constitutions for both their state and federal governments.

The experience of the previous six years convinced many Americans of the impossibility of obtaining the unanimous approval of the state legislatures required by the Articles of Confederation to any amendments, much less the radical changes proposed by the Constitutional Convention. As a result, the Virginia Plan, presented to the Convention on May 29, provided that the proposals first be approved by Congress and then be ratified by special state conventions elected by the people.

This provision was first discussed on June 5. Roger Sherman of Connecticut, a signer of the Articles of Confederation, "thought such a popular ratification unnecessary." Elbridge Gerry of Massachusetts, another signer of the Articles, feared the referral of the new system to the people. New Englanders, he said, had "the wildest ideas of Government in the world." But Rufus King, Gerry's colleague from the Bay State, suggested that the Constitution might fare better in state conventions. "A Convention being a single house, the adoption may more easily be carried thro' it than thro' the Legislatures where there are several branches. The Legislatures also being to lose power, will be most likely to raise objections." The Convention postponed its discussion of the ratification procedure and concentrated on the more immediate concern of drafting a new Constitution.

Six weeks later, on July 23, the Convention resumed Connecticut moved that the new Constitution be referred to the state legislatures for ratification. Heated debate ensued.

George Mason of Virginia believed it essential to submit "the plan to the authority of the people." If one legislature could ratify the Constitution, a later one "having equal authority could undo the acts of their predecessors; and the National Government would stand in each State on the weak and tottering foundation of an Act of Assembly." Edmund Randolph, perhaps thinking of Patrick Henry back home in Virginia, added that "local demagogues" often

dominated state legislatures where this class of men, have their full influence to a field in which their efforts can be less mischievous."

Nathaniel Gorham of Massachusetts, former president of Congress, gave five reasons for not submitting the Constitution to the state legislatures: (1) delegates chosen to a state convention would discuss the Constitution "more candidly" since they, unlike legislators, would not be losing power to a strengthened central government, (2) it would be easier to ratify the Constitution in a convention rather than in a bicameral legislature, (3) "many of the ablest men," who were not members of the legislatures, could be elected to conventions, (4) legislatures would be interrupted with a variety of little business" thus delaying consideration of the new plan, and perhaps even serving as the excuse for the ultimate defeat of the Constitution, and (5) if the Articles of Confederation were to be strictly enforced on this matter, it could be argued that "the unanimous concurrence of the States will be necessary" to adopt the Constitution. This unanimity requirement would doom the new plan.

Debate continued until James Madison drew an analogy for the delegates. Madison contended that "all the considerations which recommended this Convention in preference to Congress for proposing the reform were in favor of State Conventions in preference to the Legislatures for examining and adopting it." The Convention then, by a vote of seven states to three, rejected Ellsworth's motion for ratification by the state legislatures.

Gouverneur Morris of Pennsylvania then moved that the Constitution be submitted to a second general convention "chosen and authorized by the people to consider, amend, and establish the same." No one seconded the motion. The delegates then accepted the concept of state ratifying conventions nine states to one.

Debate over the ratification procedure did not end there, however. On Aug. 31 the Convention discarded the unanimity provision of the Articles of Confederation as well as the requirement for Congress to approve any recommended changes. James Wilson perhaps best summarized the delegates' feelings late in the Convention. The Constitution, he said, had enemies in the Convention and would undoubtedly have enemies in Congress. It was, however, imperative to get the new plan to the people for their consideration. "After spending four or five months in the laborious and arduous task of forming a Government for our country," Wilson argued that the delegates ought not throw "insuperable obstacles in the way of its success."

Editor's Mailbox Our Readers Speak Out

Editor, The EXPRESS.

This is addressed to the merchants of Dansville and the businesses and other people who sponsored me for my trip to the State Pageant. I appreciate the help of Mane Attraction, Kemp Agency, Dinzler Too, VanHynning's Service Station, Vogt's Dairy, Dr. William C. Anderson, Babcock Enterprises, Lathan Appliance, Mr. and Mrs. Edward Hindle, Mr. and Mrs. Richard Gillard, Mr. and Mrs. Timothy Lathan, Mr. and Mrs. James Lathan and Mr. and Mrs. Malcolm Dempsey.

At the State Pageant, I had the best time of my life and I'll never ever forget it. During my stay, I met many new people including the present Miss Teenager of the State, Kelly Knott, Miss Teenager of New York 1986 Erica Lavene, and the new Miss Teenager of New York, Christine Stott.

While in Norwich, I stayed at the Howard Johnson Motor Lodge and was treated like royalty. We traveled to Cooperstown to visit the Baseball Hall of Fame as one of our exciting added events.

This experience was one of the best in my life and you the people of Dansville helped me to represent our county in the state finals.

Kerry L. Dempsey
Miss Livingston County
Teenager 1987

Editor, The EXPRESS.

I thought the people in the Wayland Central School District might be interested in this information. I am sorry I'm so late in getting it to you. I have been very concerned and disturbed about some of the problems that have occurred and are occurring at the Wayland School District regarding that bond issue that will be coming up for a vote again on Oct. 28. Apparently, the fact that it was defeated by a two to one margin on May 20 gave no message to the School Board and Administration. It looks like they are going to keep bringing up the same proposition until the constituents finally get tired of going back to vote.

In addition, I am concerned about two incidents that occurred; one on May 19 following the annual budget meeting and one on May 20, the voting day.

I was so concerned that I wrote a letter to Robert Freeman, executive director, New York State Department Committee on Open Government, Albany.

On May 19, the School Board, in executive session voted 5-0 in favor of removing from the voting machine, the instructions on how to do a write-in vote for a candidate running for the board. (This was the first time a write-in vote on the voting machine has been undertaken for this particular item.)

The minutes of the board meeting on the 19th merely state that the board went into executive session, "for the purpose of discussing negotiations and positions within the various units." There are no minutes of this executive session. According to the business manager, Mr. George, there are no minutes for any executive session.

The next incident occurred on election day, May 20. Following the removal of the write-in in-

structions on the voting machine. The instructions were then placed on a bulletin board in the entrance way of the school. The other propositions were also placed on this same bulletin board. Sometime later, the directions for the write-in vote were removed. Some 60 plus votes were blanked or voided because attempting to do a write-in did not do it correctly. Quite a few people did call me at home explaining that they did not know how to do a "write-in" because of lack of information. They either did not vote or feared their vote was lost. I believe that this significantly changed the outcome of the election.

The New York State Education Law and the New York State Election Law state that it is a misdemeanor to tamper with material at the polls. Interesting values we are teaching our children!

I received a lengthy reply from Mr. Freeman, executive director for Open Government. (The letter is on file at my home and may be seen upon request.)

The opinion he rendered was based on past judicial decisions and the facts that I provided. He states that, "it appears that the vote taken by the Board should have been accomplished by means of a vote taken during an open meeting." He further states that, "he believed the discussion of the issue as well as the vote should have occurred during an open meeting." Therefore, the Open Meeting Law has been violated. Boards may go into executive sessions but the law specifies and limits the subjects that may appropriately be discussed during this session. The law also states that they cannot take action during this session. The vote must be recorded.

Perhaps, it is time to remind the Administration that it is our state and local school taxes that pay their salaries! This is suppose to be government OF the people and BY the people!

Again my apologies for sending this in so late.

Mary C. Wilt
Giles Road
Wayland

Old Photo Album



OUTDOOR TREATMENT — This is the roof area of Jackson Health Resort where guests enjoyed sunshine and fresh air. A nurse and doctor were attending patients when this picture was taken about 1908. Two elevators in the building gave easy access to this roof area. (Wilfred Rauber)

Yesteryears — A Look at History

Old Zimmerhackle — Observations, philosophy, humor and advice by Joseph W. Burgess, co-founder and editor of the Breeze before the turn of the century.

The young wife gets mad because her husband goes away from home to spend his evenings and yet a year or two ago she used all her persuasive powers to induce him to do so.

Some men are credited with being conservative when in reality they only lack the gumption necessary to make a decided stand.

Nothing will make more dust in the road in a shorter time than a drove of sheep.

—J.W.B.

—1897—
The town clock is so entirely surrounded by trees as to be well-nigh invisible to the naked eye.

Invitations are out for the marriage of Arthur Covert and Miss Dora Runyun of Ossian.

Father Dougherty has received a letter from Rev. M. Steger of Troy Hill, Pa., stating that he will visit Dansville soon. Father Steger was pastor of the two Catholic churches of this village some 40 years ago.

The inspector of steam vessels visited Conesus Lake last week and as a result all the steamers are tied up at the dock with orders not to move until they are made seaworthy.

—1907—
Niles Patterson and Mary Rauber were married this morning in the rectory of St. Mary's Church by Rev. M. Krischel. They were attended by Charles Minemier and Miss Lottie Rauber. Stony Brook Glen was filled with people last Sunday. Early in the day, the Shawmut brought in five coaches from Hornell and Olean. A little later, fully 1,000 people came up from St. Mary's, Pa., accompanied by a band from that place. During the day, watchmen were stationed at the great glen bridge, now in course of construction, to prevent accidents to those who would venture on to the structure.

—1917—
John Tracy will begin teaching schools at Swains next Wednesday. Marriages: John McCovick and Eva Rauber, C. B. Casterline and Cora Wilbur. The Cutter Stock Co. will end a successful week's engagement at the Opera House with that immortal temperance play, "Ten Nights in a Bar Room."

—1927—
William H. Fountain is the new director of physical education at the high school, succeeding David G. Hosley. Mrs. Edgar Hartman of Sparta this morning picked three ripe tomatoes from one stem that weighed three and a quarter pounds.

—1937—
"Trader Horn" is now showing at the Star Theater. Miss Mary Adams, daughter of Mrs. S. F. Adams has been appointed private secretary to Norman Davis, United States Ambassador at Large.

Marriages: Harold A. Dixon and Marie Griffin. The last fair of the season, the historic Hemlock "World's Fair," will open its 70th annual exhibition on Sept. 29.

—1947—
The 600 people attending the Dansville Fish and Game Club clambake Sunday did away with 21,000 clams and 300 chickens, according to President Bob Gray. The organization of the Schoolboy Safety Patrol at the Dansville Elementary School has been completed for the 16th consecutive year. Stockholders of the Security Trust Co. of Rochester and the Citizens Bank and Trust Co. of Dansville have approved the action of their boards of directors to merge the Dansville bank with

Security Trust.

—1957—
LaMonte L. Redmond, safety director at the Foster Wheeler Corp. plant here, has been elected chairman of Clara Barton Red Cross Chapter. Kenneth G. Richmond is the new first vice-president.

With weekend showers breaking the month-long drought, a realistic setting may be provided for "Operation Cloudburst," a Livingston County Civil Defense exercise to be staged in Dansville tomorrow.

A move is underway in nearby Wayland to offer the Legion Theater building for use as a Post Office. Proponents of the plan say the theater, closed since last spring, could be easily remodeled into an efficient stamp emporium and at a fraction of the cost of a new building.

—1967—
Coach Tom Vogt's high school football team was "up and down" in a scrimmage against Wellsville but managed to score four touchdowns while holding the visitors to one. Dansville was undefeated last year in winning the county championship. The Vietnam war slammed into Dansville yesterday when the parents of a 20-year-old village native received word he had been killed in action Sept. 7. L-Cpl. Donald Graves of the Marine Corps was killed during a mortar attack. He is the son of Frank Graves of Buffalo and Mrs. Betty

Slocum of Arkport. Donald was born in Dansville on Nov. 29, 1946.

Supervisor Robert Hart and Town Clerk Floyd Bennett have been assured of reelection. The two veteran officials were nominated by both Republicans and Democrats.

Ted Barnhart rolled a 290 game in "D" League action last week on the Brae Burn lanes. It is the highest single game score recorded at the local lanes.

Walter Littell retired Friday from his duties at the Erie-Lackawanna Railroad office in Groveland. He has held various positions in the operating department during the 47 years he has been a railroad employee.

—1977—
The Livingston County Board of Supervisors last week approved the 100 percent real property revaluation program.

Mr. and Mrs. Gerald Welch of 35 Franklin St. were honored at a surprise party Aug. 27 which marked the local couple's 25th wedding anniversary.

Vincent Whiteman of Dansville was presented the Grand Steward's Apron during a meeting of Phoenix Masonic Lodge in the Masonic Temple last Tuesday.

William J. Harrington, of Dansville is actively seeking election as chairman of the Livingston County Democratic Committee.

C. Wilson Ulyette has been named chairman of Clara Barton Red Cross Chapter for the 1977-78 year.

Looks Around Our Town

The Bystander

By JIM CONWAY

There were informative programs conducted last night in Dansville and Cohocton—the annual School Night for Scouting, a fall drive to recruit new Tiger Cubs, Cubs, Boy Scouts and adult volunteers.

The annual event of Steuben Area Council was directed by Dick Warren. Leaders were on hand to explain to the boys and their parents the aims, purposes and methods of scouting. Troops in the area are also making plans to conduct a "bring-a-buddy" camping trip to attract new scouts and parents to troop committees.

There's an age group for the various programs. Boys in first grade are eligible for Tiger Cubs while those in second through fifth grades may take part in Cub Pack activities. The scout program is open to those who have completed fifth grade or are in the 11 to 17 age bracket. Boys and girls who have completed eighth grade and are between the ages of 14 and 21 may register for the Explorer program.

Need more information? Check with any leader in the community—and there are many.***

There are many activities for young people nowadays. Not so in our teenage years when you looked forward to being 16, getting a driving permit and being able to frequent the "pool room."

Ah, the glorious "pool room," sometimes know as the Smoke Shop, the Pin and Pocket (there were three bowling lanes there at one time) and various other names. Uncle Herm Vogt was the proprietor when we first ventured into that house of legends. Bill and Marty Preble then came along and Carl Hubbell followed them—we think.

Shooting pool was fun and built a competitive edge that sometimes could earn you a quarter or so for a stop at the Sugar Bowl or Milligan's Drug Store. And sometimes, the reverse came about and you lost your "fortune." Then you had to bum a coke from a buddy.

Believe it or not, the pool room was an important part of growing up in Dansville during that era.

The education possibilities knew no bounds and the gang wasn't standing out on the street with "nothing to do".

There was no dearth of top-flight players in that day, too many to mention here, but we remember them all very well. It was an unforgettable time. Just ask Whitey Blum or Porky Black.

Now, young boys here don't have a pool room in which to congregate. Too bad.

Peter Hiller of 16 School St. is the lucky one to receive the free Art Carved class ring given away recently by Barrett and Lauffer Jewelers here.

Saw this bumper sticker at the stop light the other day: "If you don't like the way I drive—stay off the sidewalk." Wonder who thinks these up? The creator is probably making big bucks.

Longtime Dansvillian Ken Bennett was in town recently for a high school class reunion. He didn't have time to stop here but asked Ross Glover to deliver a few photos he snapped around his home in Port St. Lucy, Fla.

Ken thought we'd be interested in the signs he photographed like Kelly Bros. (a tractor service), Stein and Co. (roofers), Young Inc. (an oil company). As you know, these are all familiar names of enterprises well-known in our community. Ken didn't forget.

Dansville's Richard Tabor knows how to hook the big ones. He placed 13th in the recent Shakespeare-Eslo Fall King Salmon Derby with a 35 pound-one ounce prize. This fish earned him a big money prize in the Cash Bash category of the contest. Like \$1,000.

We like the new slogan of the New York Wine and Grape Foundation with headquarters in Penn Yan. "New York Grapes—the Best of the Bunch."

Have a good day and a nice forever.

LEGAL

PUBLIC NOTICE

A special meeting of the Nunda Town Board will meet on Monday September 28, 1987 at 7:30 PM at the Town Hall South Church Street, Nunda, New York. The next regular monthly meeting will be held on Monday October 12, 1987 at 7:30 PM.

BY ORDER OF THE

NUNDA TOWN BOARD.

Thelma Thompson

Town Clerk

9-24-T1E

NOTICE

Notice is hereby given that the Zoning Board of Appeals for the Town of Sparta will hold a public hearing on October 6, 1987, at 7:30 P.M., at the Sparta Town Hall. The purpose of the hearing is the proposed zoning variance for two trailers at the Theodore Everman residence, Route 63, Dansville. At this time, any interested person may be heard for or against the proposed variance.

Debra J. Halpenny

Town Clerk

9-24-T1E